

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Disciplinary proceedings against Sri G.C. Reddaiah, Deputy Superintendent of Police (Retired) and (3) others - Appointment of Inquiring Authority and Presenting Officer - Orders - Issued.

HOME (SERVICES-I) DEPARTMENT

G.O.Rt.No. 391

Dated: 12/02/2009

Read the following:-

1. From the Director General of Police, A.P. Hyderabad, Letter Rc.No.508/O2/05, dated 18.2.2006.
2. G.O.Ms.No.179, Home (Services-I) Department, dated 26.7.2006.
3. G.O.Rt.No.1322, Home (Services-I) Department, dated 20.9.2007.
4. Govt. Memo No.5771/Ser.I/A2/2006-11, dated 20.9.2007.
5. Govt. Memo No.5771/Ser.I/A2/2006-12, dated 20.9.2007.
6. Govt. Memo No.5771/Ser.I/A2/2006-13, dated 20.9.2007.
7. From Sri K.Srinivasa Rao, Inspector of Police, acknowledgement of article of charge, dated 5.11.2007.
8. From Sri D. Mohan Rao, Inspector of Police, written statement of defence dated 12.1.2008.
9. From Sri M.Vijay Kumar, Inspector of Police, written statement of defence dated Nil.
10. From Sri G.C. Reddaiah, Deputy Superintendent of Police (Retd), written statement of defence dated 18.12.2008.

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O R D E R:

The Director General of Police, A.P., Hyderabad, in his letter read 1st above, has reported that the Hon'ble Principal, District Sessions Judge, Nellore, in his judgment dated 4.8.2005 in SC No.222/03 observed that the investigation done by the C.B.C.I.D. was not on right lines and the Investigating Officer has never bothered to collect the rightful evidence and ignored the factum of rape on the deceased. The Judge opined that it is a fit case where necessary to take departmental action against Sri D.Mohan Rao, the then Inspector of Police, C.I.D., Nellore, and Sri M.Vijaya Kumar, the then Inspector of Police, C.I.D., Nellore, for dereliction of duty and for not properly caring to handle the investigation. A copy of the judgment was also marked to State Human Rights Commission for taking action against the Deputy Superintendent of Police for illegally detaining 17 persons and sending them to remand in the case for which there was no consequential prosecution of those persons and which act of the Deputy Superintendent of Police is found to be incorrect in the subsequent investigation. The Hon'ble Judge passed orders to take necessary action against Sri K.Sreenivasa Rao, formerly Circle Inspector of Police, Udayagiri, Sri D.Mohan Rao and Sri M.Vijaya Kumar, former Inspector, CID, Nellore. Therefore, the Director General of Police, Hyderabad has requested the Government to initiate disciplinary action against the following Officers:

1. G.C.Reddaiah, the then DSP, Kavali, now retired
2. K.Srinivasa Kumar, formerly C.I., Udayagiri now DSP, Intelligence
3. M.Vijay Kumar, formerly Inspector, CID now in V&E
4. D.Mohan Rao, formerly Inspector, CID Nellore

2. In the G.O. 2nd read above, sanction was accorded by relaxing the limitation period of four years under rule-9(2)(b)(ii) of A.P. Revised Pension Rules, 1980, for initiating disciplinary proceedings against Sri G.C. Reddaiah, the then SDPO, Kavali, as he had retired from service on 30.6.2003.

3. In the references 3rd to 6th read above, article of charges were served on the above said (4) Charged Officers, calling their written statements of defence thereon, within ten days from the date of receipt of the charge memo.

4. In the references 8th to 10th read above, (3) Charged Officers namely S/Sri D.Mohan Rao, Inspector of Police, M.Vijaya Kumar, Inspector of Police and G.C. Reddaiah, D.S.P. (Retd), respectively, submitted their written statements of defence, denying the charges framed against them. The remaining Charged Officer Sri K.Srinivasa Rao, Inspector of Police, has acknowledged the charge memo on 5.11.2007 and failed to submit his written statement of defence. Hence, Government have decided to conduct Oral Enquiry against all the said (4) Charged Officer by appointing Enquiry Officer and Presenting Officer under clause (b) and (c) of sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991.

5. Now, therefore, Government in exercise of the powers conferred sub-rule 2 read with clause (b) and (c) of sub-rule 5 of Rule 20 of APCS (CC&A) Rules, 1991 (CC&A) Rules, 1991, hereby appoint Dr. Subrendu Bhattacharya, IAS, Member COI, as the Inquiring Authority and Sri M. Vara Prasada Rao, Advocate, as the Presenting Officer to present the case before the Inquiring Authority.

6. The Presenting Officer appointed in para-5 above shall acquaint himself with the facts of the case by procuring the records relating to the case and present the case before the Inquiring Authority effectively on behalf of the Government. He shall also obtain and furnish records to the Inquiring Authority, if necessary which are required during the course of enquiry.

7. The Inquiring Authority shall conduct enquiry strictly in terms of the procedure prescribed under Rule 20 of APCS (CC&A) Rules, 1991 (CC&A) Rules, 1991 and shall submit his report to the Government in terms of clause (ii) of sub-rule 18 of the said rules, as expeditiously as possible and however it shall not be more than two months from the date of issue of these orders.

8. The connected records in original are herewith enclosed and furnished to the Inquiring Authority in this case.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJOYENDRA PYAL
PRINCIPAL SECRETARY TO GOVERNMENT

To
Dr. Subrendu Bhattacharya, IAS, Member COI,
General Administration (COI.SB) Dept. (w.e)
Sri M. Vara Prasada Rao, Advocate
H.No.8-2-268/13, Sriniketan Colony,
Road No.3, Banjara Hills, Hyderabad (w.e)
The Charged Officers concerned
through Director General of Police, A.P. Hyderabad
The Director General of Police, A.P. Hyderabad
SF/SC

// Forwarded :: by order //

SECTION OFFICER